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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/539,686

11/02/2005

Howard A Kingsford

05918-347US1

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26161 7590 09/10/2008

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EXAMINER

BENVENUTI II, MATTHEW GEORGE

ART UNIT

PAPER NUMBER

4159

NOTIFICATION DATE

DELIVERY MODE

09/10/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATDOCTC@fr.com

Office Action Summary	Application No. 10/539,686	Applicant(s) KINGSFORD ET AL.	
	Examiner Matt Benvenuti	Art Unit 4159	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 June 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: _____ |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :IDS (6/16/2005, 10/26/2005, 9/19/2007).

DETAILED ACTION

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:

- Figure 3, reference 1017
- Figure 4, reference 1032
- Figure 4, reference W_2
- Figure 11, reference 107', 107, and 105
- Figure 12, reference 14
- Figure 14, reference 24
- Figure 15, reference 20
- Figure 16, reference 17, 24, 18
- Figure 17, reference 20, W_2 , W_3
- Figure 19, reference 50, 62, 56, 58, 60
- Figure 20, reference 106
- Figure 21, reference 108, 126
- Figure 23, reference t_m
- Figure 24, reference 116
- Figure 25, reference A1
- Figure 26, reference 101, 100, A1
- Figure 27, reference 120

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- Figure 30, reference 303
 - Figure 31, reference 376, 378 (in spec as 278)
 - Figure 32, reference 365, 376, and 378 (in spec as 278)
 - Figure 33, reference 384
 - Figure 34, reference 384
 - Figure 36, reference 620, L3
 - Figure 37, reference 603
 - Figure 38, 646', 647'
 - Figure 42, reference 716
 - Figure 44, reference L3
 - Figure 45, reference L3
 - Figure 46, reference 752, L5
 - Figure 47, reference 819, 816, 809, 815, 826
 - Figure 48, reference 820, 815, 809
 - Figure 50, reference 878
 - Figure 52, reference 1102, 1104, 1202
 - Figure 52B, reference 1244
-
- Figure 6: web of loop material 1008 is not shown
 - Figure 7: 1006, 1008 and 1010 are not shown
 - Figure 10: 1006, 1008, 1010, and 1014 are not shown
 - Figure 11: wrap bag, reference 100

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- Figures 14 and 15: Upper roll, reference 2'
- Figure 19: reference 22'''
- Figure 23: thickness t_d
- Weld 113 (Page 15, Line 6) is not shown in either Figure 25, 26 or 28
- Double width at 121 (Page 15, Line 12)
- Figure 34: 374, 368, and 119'''
- Figure 37 is missing reference 601
- Figure 52A and 52B: 1200
- Figure 52B: 1006, 1008, and 1054

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4)

because:

- Page 11, Lines 25-27: 20' is used for both the forming nip and the calendar nip
- W_1 is used as the width of the calendar stack (Page 18, Line 4), but has previously been used as the width of the unfolded strip (see Figure 16)
- In Figure 19 references characters 102 and 66 both refer to hooks

3. The drawings are objected to because:

- In Figures 14 and 16 A does not show a fold axis
- Figure 18 has no reference numbers
- In Figure 31, 33 and 34 reference W_3 overall length, does not match reference W_3 in Figure 16

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- In Figure 35, L2 is not longer than L1 as disclosed in the specification
- In Figure 45, L1 does not show the overall length, and L2 does not show a length greater than L1 (the overall length)
- Figure 47: there are two reference numerals pointing to two different things

4. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

5. The disclosure is objected to because of the following informalities:
- P. 5, Lines 3-7: Lists Figure 20 twice and describes Figure 20 in two different ways
 - Figure 22 and 23 should be in numerical order
 - P. 7, Line 30: should be calendar nip 1022

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- Figure 7: (p. 8 lines 13-29): illustrates a machine 1050, thus the description that folded sheet 1064 enters into the flat bag sealing machine 1050 is inaccurate, as it would have been in the machine 1050 prior to this step
- Page 10, Line 2: Should include reference numbers for the rib and groove fastener strips
- Figure 10: (p. 10 lines 9-14): illustrates a machine 1120, thus the description that folded sheet 1130 enters into the flat bag sealing machine 1120 is inaccurate, as it would have been in the machine 1120 prior to this step
- Page 10, Lines 11-15: The weld bead is shown on the drawing as 1104 and discussed in the specification as 1014
- Page 19, Line 10: "Wrap-bag 601 may manufactured entirely..." is missing a word
- Page 12, Line 30: incoming resin should include a reference number
- Page 12, Line 31: lower roll should include a reference number
- Page 13, Line 7: resin should include a reference number
- Page 13, Line 8: the loop material should include a reference number
- Page 15, Line 9: a top pouch opening should include a reference number
- The mated rib and groove formations (Page 15, Line 10) are not clearly shown in Figure 26
- The transverse weld 278 (Page 17, Line 31) should be the transverse weld 378, as shown in the drawing
- The pouch opening (Page 20, Line 30) should include a reference number
- Tyvek ® and Typar ® (Page 20, Line 23) should be in all capital letters

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- Page 22, Line 30, "polyptoplene" is believed to be misspelled

Appropriate correction is required.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

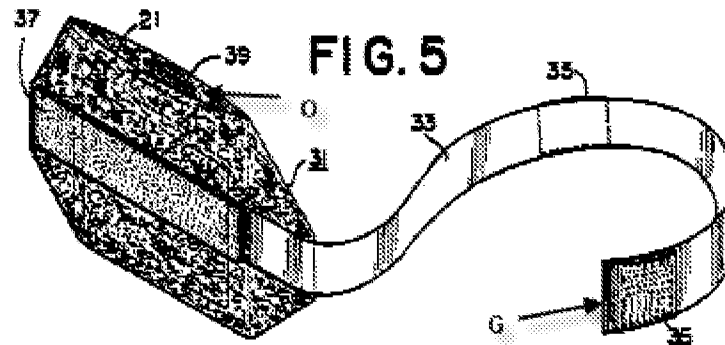
7. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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9. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,150,707 (Anderson) in view of US 5,843,018 (Shesol et al) and applicant admitted prior art US 6,205,623 (Shepard et al).



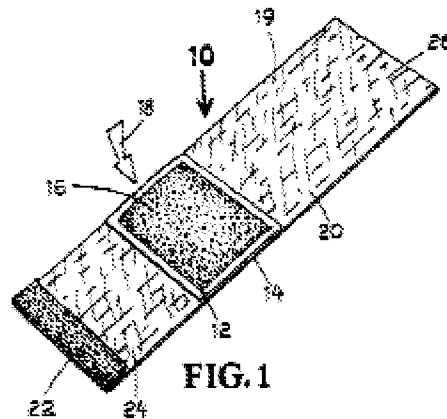
10. In re Claim 1, Anderson, Figure 5 shown above, teaches a bag comprising:

- A bag body (31) defining therein a compartment (27) accessible through an opening at one end of the bag body (31); and
- Secured to the bag body (31) along one edge thereof and extending therefrom to a free distal end, a flexible strap (33), the strap (33) carrying an array of fastener elements (35) on an opposite side thereof (Column 3, Lines 38-43)
- The strap (33) being of sufficient length to wrap about an object, with the strap (33) overlapping the bag body (31) to engage exposed fibers (37) of the bag (31) with the fastener elements (35), to secure the bag (31) to the object. (Figures 5 and 6)

11. Anderson does not teach:

- A flexible strap of width sufficient to span at least a majority of the compartment and

- Each fastener element having a stem extending integrally from a band of resin extending across the strap



12. Shesol et al, Figure 1 shown above, teaches a wrap (20) having the same width as the carrier platform (12), which can include a pocket (28 in Figure 4). Shesol et al shows that a strap of width equal to the bag body is an equivalent structure **known in the art**. Therefore, because these two straps were art-recognized equivalents at the time the invention was made, one of ordinary **skill in the art** would have found it obvious to substitute a strap of equal width as taught by Shesol et al for the strap of smaller width in Anderson.

13. Applicant admitted prior art US 6,205,623 (Shepard et al) discloses a hook and loop fastener constructed such that the elongated hook components have a base of synthetic resin and an array of fastener elements extending from a first surface of the base. (Column 2, Lines 35-38). Shepard et al discloses that it is known in the art to provide a hook and loop fasteners having a stem extending integrally from a band of resin. It would have been obvious to one having ordinary skill in the art at the time the

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invention was made to provide the hook and loop fasteners of Anderson with the hook and loop fasteners of Shepard et al in order to secure the strap to the bag body.

14. In re Claim 2, Anderson/Shesol et al/Shepard et al further teaches a bag wherein the band of resin encapsulates surface features of the strap to form an inseparable laminate. (Shepard et al, Column 4, Lines 40-47)

15. In re Claim 3, Anderson/Shesol et al/Shepard et al further teaches a bag wherein the band of resin is an integral region of the strap, the strap being a unitary sheet of the resin and extending beyond the array of fastener elements. (Shepard et al, Column 2, Lines 35-44).

16. In re Claim 4, Anderson/Shesol et al/Shepard et al further teaches a bag wherein the strap extends beyond the edge of the bag body a distance greater than about twice the width of the bag body measured from the same edge in the opposite direction. (Anderson, Figure 5)

17. In re Claim 5, Anderson/Shesol et al/Shepard et al further teaches a bag wherein the strap consists essentially of a sheet of loop material with the band of resin extending thereacross. (Shepard et al, Column 4, Lines 40-47)

18. In re Claim 6, Anderson/Shesol et al/Shepard et al further teaches a bag wherein the bag body is secured to the strap along multiple edges of the bag body. (Shesol et al, Figure 4)

19. In re Claim 7, Anderson/Shesol et al/Shepard et al further teaches a bag wherein the strap is an integral extension of one side of the bag body. (Anderson, Figure 5)

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20. In re Claim 8, Anderson/Shesol et al/Shepard et al further teaches a bag wherein the bag body includes a releasable closure (Anderson, 39) extending along the opening (O).

21. In re Claim 9, Anderson/Shesol et al/Shepard et al does not teach a bag wherein the closure comprises a rib-and-groove closure. It would have been obvious to one having ordinary skill in the art at the time the invention was made to substitute a rib-and-groove closure for the Velcro closure at the opening of the pouch in Anderson, since it was known in the art that both Velcro and rib-and-groove closures can be used to create a seal between two piece of material across an opening therebetween.

22. In re Claim 10, Anderson/Shesol et al/Shepard et al further teaches a bag wherein the closure comprises a touch fastener closure. (Shepard et al, Column 3, Lines 18-24)

23. In re Claim 11, Anderson/Shesol et al/Shepard et al does not teach a bag wherein the opening faces the strap. It would have been obvious to one having ordinary skill in the art at the time the invention was made to put the pouch opening facing the strap, since it has been held that rearranging parts of an invention involves only routine skill in the art. In re Japikse, 86 USPQ 70.

24. In re Claim 12, Anderson/Shesol et al/Shepard et al further teaches a bag wherein the opening extends along one side edge of the strap. (Anderson, Figure 5)

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25. In re Claim 13, Anderson/Shesol et al/Shepard et al further teaches a bag wherein the strap is resiliently stretchable in a longitudinal sense. (Anderson, Column 3, Lines 38-43)

26. In re Claim 14, Anderson/Shesol et al/Shepard et al further teaches a bag wherein the fastener elements are disposed in a discrete band adjacent the free end of the strap. (Shepard et al, Abstract)

27. In re Claim 15, Anderson/Shesol et al/Shepard et al further teaches a bag wherein the discrete band is continuous and extends across the width of the strap. (Shepard et al, Column 4, Lines 2-11)

28. In re Claim 16, Anderson/Shesol et al/Shepard et al further teaches a bag wherein the strap includes a graspable non-fastening region beyond the band of fastener elements. (Anderson, Figure 5, G)

29. In re Claim 17, Anderson/Shesol et al/Shepard et al further teaches a bag wherein the compartment is defined fully within the width of the strap, such that the strap envelops the compartment when overlapped across the bag body.

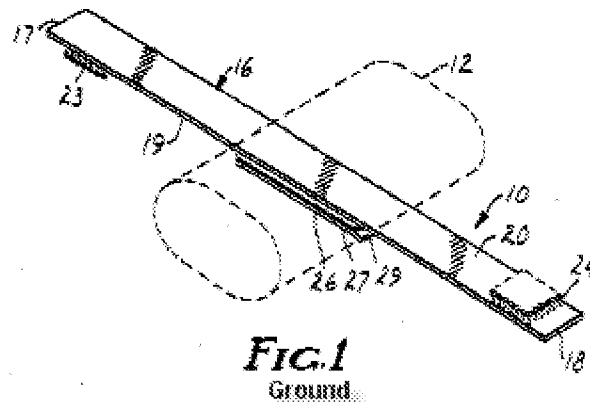
30. In re Claim 18, Anderson/Shesol et al/Shepard et al teaches a method of releasably securing one or more relatively small components to a relatively larger object, the method comprising:

- Placing the components (Anderson 43, 42, 41 comprising the thermal pack) in the compartment (Anderson, 27) of a wrap-bag (Anderson, 31)

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- Wrapping the wrap-bag about the object in overlapping manner, releasably securing the fastener elements of the wrap-bag to the fibers of the wrap-bag, to hold the wrap-bag to the object (Anderson, Figure 6)

31. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson/Shesol et al/Shepard et al as applied to claims 1-17 above, and further in view of US 4,706,914 (Ground).

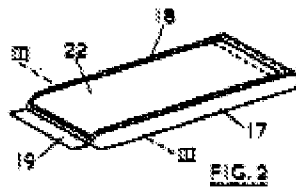


32. In re Claim 19, Anderson/Shesol et al/Shepard et al does not teach a method of releasably securing one or more relatively small components to a relatively larger object, wherein the relatively large object is a chassis, and the components are to be later assembled to the chassis. Ground, Figure 1 shown above, teaches an attaching assembly for holding wires to a structure such as a firewall of an automobile. It would have been obvious to one of ordinary skill in the art at the time the invention was made to attach the bag of Anderson/Shesol et al/Shepard et al to an automobile structure, such as a chassis or firewall, as taught by Ground, and place within the pouch

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components later to be attached to such structure, such as screws or bolt, so that such components would be within easy reach.

33. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson/Shesol et al/Shepard et al as applied to claims 1-17 above, and further in view of US 3,712,220 (Marke et al).



34. In re Claim 20, Anderson/Shesol et al/Shepard et al does not teach a method of releasably securing one or more relatively small components to a relatively larger object, wherein the relatively large object is to be detonated, and the components comprise one or more explosive charges. Marke et al, Figure 2 shown above, teaches a pouch shaped explosive charge (Figure 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to attach the bag of Anderson/Shesol et al/Shepard et al to a structure to be detonated, and to place the explosive charge of Marke et al in the pouch of Anderson/Shesol et al/Shepard et al, to ensure that the explosive charge remained fixed to the structure to be detonated.

Conclusion

35. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 3,255,749 (Smithers) teaches a bandage wrap having an

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equal width that secures to itself through the use of hook and loop fasteners. US 5,304,216 (Wallace) teaches an ice pack apparatus that has hook and loop fasteners to secure the apparatus to the user. US 5,870,849 (Colson, Jr.) teaches a wrapping device for wrapping around one or more tubular members or other components and securing the members or components within one wrap. US 6,116,419 (Campagna et al) teaches wrapping a bag with hook and loop fasteners around a ladder for the storage of tools and other components. US 2001/0034545 (Elkins) teaches a therapy wrap with a strap of almost the same width as the bladder portion. US 6,656,210 (Plewes) teaches a hot/cold pack container with multiple pockets, that is releasably secured to a user.

36. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matt Benvenuti whose telephone number is (571)270-5704. The examiner can normally be reached on Monday - Friday: 8am-5pm.

37. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Nguyen can be reached on 571-272-4491. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

38. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Quang T Van/
Primary Examiner, Art Unit 3742

MB